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Air Quality Protection in the West (November 27-28)

1989

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11-27-1989

### AGENDA: Air Quality Protection in the West

University of Colorado Boulder. Natural Resources Law Center

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# Air Quality Protection in the West

November 27-28, 1989

## Monday, November 27, 1989

8:30 **Welcome**

8:40 **Keynote Address**  
To be announced

*Issue: Visibility, Ozone, Acid Rain, Long Distance Transport*

9:15 **Diminishing Views: Air Quality in  
Western National Parks**

**Christine Shaver**, National Park Service Air  
Quality Division, Denver

Air pollution causes varying degrees of visibility impairment at all national parks virtually all the time. Biological resources are also being affected by pollution. Causes and effects of air pollution in national parks will be discussed, as well as actions being taken to remedy existing problems and prevent future deterioration.

9:40 **Regional Air Quality Concerns in the  
West: Acid Deposition and Ozone**

**Dr. Kathy Tonnessen**, Research Division, Air  
Resources Board, Sacramento, Calif.

Emissions from mobile and stationary sources result in the formation of two air pollutants of regional importance in parts of the western U.S.: acid deposition and ozone. Pollution sources, transformation and effects will be discussed, with emphasis on results of research and monitoring activities in California.

10:05 **Questions and Discussion**

10:30 **Break**

10:50 **Transboundary Air Pollution:  
The Legal Framework**

**Prof. Mark Squillace**, University of Wyoming  
College of Law, Laramie, Wyo.

Much has been written about transnational air pollution, particularly as it relates to the U.S. contribution to acid rain problems in Canada. The current legal framework for handling such problems will be discussed. Conflicts among individual states have received less attention but pose a potentially more significant problem. The presentation will review the inadequate legal framework that currently exists for addressing such conflicts, and make suggestions for improving the current system.

11:45 **Lunch**  
On your own

1:15 **Acid Rain Litigation: Strategies  
to Overcome Agency Recalcitrance  
Under the Federal Clean Air Act**

**David R. Wooley**, Assistant Attorney General,  
New York State Department of Law, Albany, NY  
The Interstate, International, Tall Stack, National  
Standards and Visibility provisions of the Clean Air  
Act could be used by EPA to halt or significantly  
reduce acid rain in the Eastern States. An eight  
year litigation campaign is described and related to  
efforts to pass Clean Air Act amendments on acid  
rain.

2:00 **Proposed Legislation**  
To be announced

2:45 **Break**

*Issue: Air Toxics*

3:05 **Toxic Air Pollution:  
Old Problems, New Solutions?**

**Dr. Devra Davis**, Board on Environmental Studies  
and Toxicology, National Academy of Sciences,  
Washington, DC

The proposed Clean Air Act revisions feature  
maximum achievable control technology for many  
sources of toxic air pollution. The relative merits of  
this approach and other approaches to control toxic  
air pollutants will be discussed, along with the  
rationale for singling out toxic pollutants.

3:45 **Proposed Legislation**  
To be announced

4:20 **Questions and discussion**

4:45 **Reception**

## Tuesday, November 28, 1989

*Issue: Urban Air Pollution*

8:30 **Urban Ambient Air Quality Trends  
in the Western U.S.**

**Ogden Gerald**, Office of Air Quality Planning and  
Standards, U.S. Environmental Protection Agency,  
Durham, NC

This presentation will provide a summary of urban  
ambient air quality trends in the western U.S.  
Background information will be provided regarding  
ambient air monitoring procedures and regulatory  
mechanisms and air quality control strategies for  
correcting air quality problems.

9:05 **Health Effects of Pollutants**

**Robert A. Bethel, M.D.**, Asst. Prof. of Medicine,  
University of Colorado Health Sciences Center,  
Denver

This paper will discuss the health effects of the  
common air pollutants, emphasizing the effects of  
ambient sulfur dioxide and ozone on sensitive  
subpopulations.

**9:40 Motor Vehicle Air Pollution Control:****The Remaining Issues**

**Michael P. Walsh**, Consultant, Washington, DC  
Motor vehicles were identified by Congress in 1970 as the dominant air pollution source in the United States; in spite of a great deal of progress, the same conclusion would be accurate today. Continued growth in both the number and use of vehicles, poor control of emissions during the second half of a car's life, and only limited control outside boundaries of the federal test are some of the major shortcomings. In addition, new problems not anticipated in 1970 have emerged.

**10:15 Break****10:35 Denver Oxygenated Fuel Program:  
A Case Study**

**Jerry Gallagher**, Mobile Sources Program, Colorado Department of Health, Denver  
The Department of Health has been investigating the benefits of oxygenated fuels since 1980. The requirement of oxygen in gasoline as a means to reduce CO was implemented for the first time in the U.S. Results of CO reduction, air quality trade-offs, and policy issues will be presented.

**11:05 Urban Air Quality Litigation Under the  
Clean Air Act: Past, Present  
and Future**

**David S. Baron**, Arizona Center for Law, Tucson, AZ

In response to the failure of many cities to meet clean air standards, advocacy groups are

increasingly turning to the courts to force adoption of the tough control measures needed for attainment. This presentation will review the Clean Air Act's current requirements for urban nonattainment areas, and how the courts are enforcing those requirements now that the deadlines for attainment have passed.

**11:45 Lunch Speaker**

**Pat Nemeth**, (invited), Deputy Executive, Office of Planning and Rules, California South Coast Air Quality Management District

**1:15 Case Study: California South Coast Air  
Quality Management District**  
To be announced**2:00 Linking Transportation and Air Quality**  
**Robert Yuhnke**, Environmental Defense Fund, Boulder, CO

Transportation sources cause most of the public health problems associated with air pollution in cities. Can the transportation planning process be reformed to serve as a tool to achieve the vehicle use reductions needed to comply with air quality standards?

**2:50 Break****3:10 Proposed Legislation**  
To be announced**3:45 Questions and discussion****4:30 End of program**

## Conference Enrollment Form

### Air Quality Protection in the West

November 27-28, 1989

Name \_\_\_\_\_

Affiliation \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_ Phone \_\_\_\_\_

Fees:	Regular	NRLC Assoc. (20% disc.)	Govt. Rate	Acad. & Pub. Interest
By Nov. 17	\$250	\$200	\$195	\$125
After Nov 17	\$275	\$220	\$220	\$150

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**Notebook and Tape Sale:** The course book will be available after the conference for \$30. (Please note: registrants get the notebook as part of their fee.) Audio tapes of the two days will sell for \$90. All orders must be prepaid.

## Air Quality Protection in the West

### November 27-28, 1989

### Notebook and Tape Order Form

Name \_\_\_\_\_

Affiliation \_\_\_\_\_

Street Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_ Phone \_\_\_\_\_

Notebook of speakers' outlines and materials \$ 30 \_\_\_\_\_

Audio tapes: Full two days \$ 90 \_\_\_\_\_

Associates Discount (less 20%) \$ \_\_\_\_\_

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AIR QUALITY PROTECTION IN THE WEST  
November 1989

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- A. "Urban Air Quality Litigation Under the Clean Air Act: Past, Present and Future," David S. Baron, Arizona Center for Law in the Public Interest, Tucson, Arizona
- B. "Health Effects of Air Pollutants (Sulfur dioxide, ozone, and carbon monoxide)," Robert A. Bethel, M.D., Associate Professor of Medicine, University of Colorado, Health Sciences Center, and National Jewish Center, Denver, Colorado
- C. "Toxic Air Pollution: Environmentalism with an Industrial Face," Dr. Devra Davis, Director, Board on Environmental Studies and Toxicology, National Academy of Sciences, Washington, DC
- D. "Denver Oxygenated Fuel Program: a Case Study," Jerry Gallagher, Manager, Mobile Sources Program, Colorado Department of Health, Denver, Colorado
- E. "Urban Ambient Air Quality Trends," N. Ogden Gerald, Monitoring Section Chief, Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, NC
- F. "Diminishing Views: Air Quality in Western National Parks," Christine Shaver, National Park Service-Air, Denver, Colorado
- G. "Transboundary Air Pollution: The Legal Framework," Professor Mark S. Squillace, University of Wyoming College of Law, Laramie, Wyoming
- H. "Regional Air Quality Concerns in the West: Acid Deposition and Ozone," Kathy A. Tonnessen, Ph.D., California Air Resources Board Research Division, Sacramento, California
- I. "Motor Vehicle Air Pollution Control: The Remaining Issues," Michael P. Walsh, Consultant, Washington, DC
- J. "Strategies to Overcome Agency Recalcitrance Under the Federal Clean Air Act: The Acid Rain Litigation Experience," David R. Wooley, Assistant Attorney General, New York State Department of Law, Albany, New York
- K. "To the U.S. Department of Transportation: Comments of the Environmental Defense Funds on the Secretary of Transportation's National Transportation Policy," Robert E. Yuhnke, Environmental Defense Fund, Boulder, Colorado